

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JOHN MILLER,	:	CIVIL ACTION
	:	
Petitioner	:	
	:	
v.	:	
	:	
JEFFREY BEARD, et al,	:	NO. 05-5285
	:	
Respondents	:	

NOTICE OF APPEAL

COMES NOW, John Miller, Petitioner in the above entitled matter pursuant to 28 United States Code § 2254, by his attorney, Burton A. Rose, Esquire, and hereby gives Notice of an Appeal to the United States Court of Appeals for the Third Circuit from the Order and Memorandum of the Honorable Bruce Kauffman, Judge of the United States District Court for the Eastern District of Pennsylvania, filed January 30, 2007, a true and correct copy which is annexed hereto, denying and dismissing the Petitioner s Petition for a Writ of Habeas Corpus and also denying the issuance of a Certificate of Appealability.

Respectfully submitted,

BURTON A. ROSE
Attorney for John Miller
Signature Validation Code: BAR 2021

1731 Spring Garden Street
Philadelphia, Pa 19106-3519
(215) 564-5550

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CERTIFICATE OF SERVICE

COMES NOW, Burton A. Rose, Attorney for John Miller, in the above captioned matter, and hereby respectfully certifies that a true and correct copy of the attached Notice of Appeal for Defendant has been forwarded by First Class Mail to:

Honorable Bruce W. Kauffman
United States District Judge
U. S. Courthouse, Suite 5613
610 Market Street, Room
Philadelphia, PA 19106

John W. Goldsborough, Esquire
Assistant District Attorney
Federal Litigation Unit
Three South Penn Square
Philadelphia, PA 19107

Respectfully submitted,

DATED: February 16, 2007

BURTON A. ROSE
Attorney for John Miller
Signature Validation Code: BAR 2021